GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA

UNSTARRED QUESTION NO:2735
ANSWERED ON:15.12.2015
Bhopal Gas Tragedy
Dhruvanarayana Shri Rangaswamy

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Government has acquired the correct figures for revision of data on disaster-related deaths and injuries of Bhopal gas tragedy from the agencies concerned, if so, the details thereof, if not, the reasons therefor;

(b) whether the Indian Council of Medical Research has provided scientific estimates of casualties on the basis of their research in Bhopal, if so, the details thereof, if not, the reasons therefor; and

(c) the time by which the Government is likely to revise data presented in the curative petition seeking additional compensation for the survivors of the Bhopal gas tragedy?

Answer

ANSWER
MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI HANSRAJ GANGARAM AHIR).
(a) The Office of the Welfare Commissioner, Bhopal Gas Victim, Bhopal set up under the Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 and a Scheme thereunder, registers the claims in appropriate category in accordance with the provisions contained in the Bhopal Gas Leak Disaster (Registration and Processing of Claims) Scheme, 1985. After this, based on arguments/documents/evidence coupled with the hearing, the judicial officer decides the case for payment of compensation/rejection. Thus, it would be evident that the awards for compensation to Gas Victims were passed after following all necessary Judicial process.
(b) Indian Council of Medical Research (ICMR) carried out Long term population based epidemiological study on the health due to effects of toxic gas leakage during 1985-1994. Subsequently, this study was continued under the Centre for Rehabilitation Studies (CRS), Government of Madhya Pradesh from 1995-2010. The death figures observed in the Epidemiological study of ICMR/CRS may not be used for extrapolating the number of deaths in the entire gas exposed population due to the following reasons:
(i) the observed death rates have to be discounted for background mortality/natural death rate
(ii) there has been a high attrition in the cohort and loss of follow up
(iii) compositional differences

(c) A Curative Petition (Civil) No. 345-347 of 2010 was filed by the Government of India against Union Carbide Corporation, USA and others seeking enhancement of compensation earlier settled at US $ 470 million. The figures mentioned in the curative petition are based on the actual number of cases awarded by the Office of the Welfare Commissioner after due judicial processes. The additional amount of compensation claimed is due to the difference between the number of cases assumed by the Hon'ble Supreme Court at the time of passing the orders for settlement of US $ 470 million in 1989 and the actual number of cases awarded.

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